

1
2
3
4
5
6 UNITED STATES DISTRICT COURT
7 CENTRAL DISTRICT OF CALIFORNIA

8) NO. CV (CTx)
9)
10 Plaintiff,)
11)
12 v.)
13) ORDER
14)
15)
16 Defendants.)
17)
18)
19)
20)
21)
22)
23)
24)
25)
26)
27)
28)

TO ALL PARTIES AND COUNSEL OF RECORD:

The above matter was referred to Magistrate Judge Carolyn Turchin for settlement conference. The settlement proceedings will be in accordance with Local Rule 16-14.

You are hereby notified that the conference is scheduled for at **10:00 a.m.**, Edward R. Roybal Federal Building & Courthouse, courtroom 590, 5th Floor, 255 East Temple Street, Los Angeles, California 90012.

REQUIRED ATTENDANCE AT THE SETTLEMENT CONFERENCE

Unless otherwise permitted in advance by the Court or by Local Rule 16-14, the attorneys who will try the case shall appear at the settlement conference with the parties and with the person or persons having full authority to negotiate and to settle the case on any terms at the conference.

1 Any special arrangements desired in cases where settlement
2 authority rests with a governing body shall be proposed in advance.

3 CONFIDENTIAL SETTLEMENT CONFERENCE STATEMENT

4 The parties shall submit in writing to the settlement officer, in
5 camera (but not file), a letter, not to exceed five pages, setting
6 forth the party's statement of the case and the party's settlement
7 position, including the last offer or demand made by that party and a
8 separate statement of the offer or demand the party is prepared to
9 make at the settlement conference. This confidential settlement
10 letter shall be delivered to the Magistrate Judge's Clerk, Ms. Deborah
11 A. Malone, at the Clerk's Office located in room 181L Roybal Terrace
12 Clerk's Office at Edward R. Roybal Federal Building & Courthouse, 255
13 East Temple Street, Los Angeles, California 90012 at least five
14 business days before the date of the conference. The confidential
15 settlement letters shall be returned to the submitting party at the
16 conclusion of the settlement proceedings. Local Rule 16-14.

17 SANCTIONS

18 Any failure of the trial attorneys, parties or persons with
19 authority to attend the conference may result in sanctions to include
20 the fees and costs expended by the other parties in preparing for and
21 attending the conference. Failure to timely deliver a confidential
22 settlement conference letter may also result in sanctions.

23 DATED: February 3, 2003.

24
25
26

CAROLYN TURCHIN
UNITED STATES MAGISTRATE JUDGE

27 Attachment
28

1 NOTICE TO COUNSEL - DISCOVERY DISPUTES

2 Magistrate Judge Turchin requires strict compliance with Local
3 Rule 37 in bringing discovery disputes to the attention of the court.
4 It is requested that counsel place in brackets, under the caption of
5 any motion which has been referred to the Magistrate Judge, "Referred
6 to Magistrate Judge Carolyn Turchin." The discovery cutoff date,
7 pretrial conference date and trial date set by the District Judge
8 should also be placed under the caption. Local Rule 37-2.1. These
9 dates will not be changed by the Magistrate Judge.

10 Before bringing a discovery dispute to the court's attention,
11 counsel should carefully and in good faith comply with the detailed
12 requirements of the subparts of Local Rule 37.

13 The joint stipulation required by Local Rule 37-2.1 should
14 contain each counsel's position as to the following: (1) introductory
15 statement; and, (2) issues. With respect to the introductory
16 statement, moving counsel's statement should be followed by opposing
17 counsel's statement unless counsel agree upon the introductory
18 statement. With respect to each issue, moving counsel's contention
19 together with applicable points and authorities should be followed by
20 opposing counsel's. Unless relieved by the court upon good cause
21 shown, the joint stipulation is limited to 50 pages. Local Rule 11-6.

22 The hearing on the motion should be noticed at least 21 calendar
23 days in advance of the date set. Fed.R.Civ.P. 6; Local Rule 37-3.
24 Supplemental memoranda, if any, are limited to 5 pages and must be
25 filed not later than 14 calendar days prior to a scheduled hearing
26 date. Fed.R.Civ.P. 6; Local Rule 37-2.3. Courtesy copies are not
27 required, however, counsel may deliver a courtesy copy of a
28 supplemental memorandum, if any, to Judge Turchin's courtroom deputy

1 clerk, Ms. Deborah Malone. Ms. Malone can be reached at (213) 894-
2 6513. The courtesy copy should be delivered to her in **room 181 L of**
3 **the Federal Roybal Building, 255 East Temple Street, Los Angeles,**
4 **California 90012,** not directly to chambers.

5 This court typically hears discovery disputes on Mondays at 2:00
6 p.m. Counsel should anticipate the possibility that the hearing will
7 be taken off calendar and the dispute decided without oral argument.
8 Local Rule 37-3.

9 Counsel are requested to provide the Magistrate Judge with any
10 ruling by the District Judge that may relate to the discovery dispute
11 referred to the Magistrate Judge. It should be presented as an
12 exhibit to the joint stipulation filed before the Magistrate Judge.

13 Counsel are directed to carefully read and consider the United
14 States District Court Central District of California Civility and
15 Professionalism Guidelines, adopted on July 27, 1995, before filing a
16 discovery motion. If you do not have this document, a copy may be
17 obtained from the courtroom deputy clerk.

18 This notice and all applicable rules apply to persons appearing
19 without counsel.

20 **The following additional information is provided to counsel. This**
21 **information is not intended to impose "local, local rules." It is**
22 **intended to give counsel guidance about what is helpful to this court**
23 **in resolving discovery disputes.**

24 1. All information relating to a motion should be contained in a
25 single document. That document is the joint stipulation. In other
26 words, all declarations, exhibits and proposed orders should be
27 appended to the joint stipulation. 2. The 50 page limit is
28 exclusive of declarations, exhibits and proposed orders which are

1 appended to the joint stipulation. This page limit should not be
2 abused. Multiple issues which logically should be disposed of in the
3 same discovery motion should not be separated into separate motions.

4 3. Use restraint in selecting exhibits appended to a joint
5 stipulation. For example, the Magistrate Judge does not need to see
6 every piece of correspondence between counsel. However, it is often
7 helpful to see the pleadings attached as exhibits since the Magistrate
8 Judge does not routinely receive the entire case file.

9 4. While the Magistrate Judge will accept supplemental
10 memoranda, if a lawyer submits authority or information that was
11 available at the time of the preparation of the joint stipulation in a
12 supplemental memorandum, it may not be considered. Counsel should
13 endeavor to avoid filing supplemental memoranda. Supplemental filings
14 which are not provided for in the local rules may not be filed absent
15 advance leave of court upon good cause shown.

16 5. The lawyer who signs the joint stipulation is expected to
17 argue.

18 6. If there has been an external event, such as a District Judge
19 ruling or an agreement with respect to a portion or all of a dispute
20 which impacts on a discovery dispute pending before the Magistrate
21 Judge, counsel should immediately file a notification of such event.

22 7. In any case where counsel have submitted more than one joint
23 stipulation for the same calendar, each counsel should submit a single
24 summary of all issues raised in all joint stipulations for that
25 calendar. This document should also summarize the arguments and is
26 limited to 5 pages.

27 8. Ex parte applications are an unacceptable method of bringing
28 a discovery dispute to the attention of the court. Unless there is an

1 extreme emergency which was not created by the lawyer who is bringing
2 the discovery motion, strict compliance with the local rules is
3 required and discovery disputes must be brought to the attention of
4 the court by way of joint stipulation. Failure to timely bring a
5 discovery dispute to the attention of the court which fully complies
6 with the District Judge's scheduling order and applicable rules does
7 not constitute an emergency which warrants an ex parte application.

8 9. Counsel are encouraged, but not required, to submit separate
9 proposed orders as exhibits to their joint stipulation.

10 Revised 10/01

1	cc:
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	